

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 55724 of 2018

Arising Out of P.S. Case No. -166 Year- 2018 Thana -KOTWALI District- MUNGER

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Chottu Kumar, Son of Raghubir Modi, resident of Mohalla- Mangal Bazar,
Kasturba Nagar, P.O.- Basudeopur, P.S.- Basudeopur, District- Munger.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 28-09-2018

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner apprehends arrest in Kotwali P.S. Case
No. 166 of 2018 dated 13.05.2018 instituted under Sections
341/323/307/326/379/504/34 of the Indian Penal Code.

3. The allegation against the petitioner and other family
members is of assaulting the informant, who was the husband of his
sister and also being party to the occurrence of trying to kill him by
pouring oil and putting fire to it.

4. Learned counsel for the petitioner submitted that due
to the ill behaviour of the petitioner towards his sister, a legal notice
was sent to the petitioner 10 days prior to the lodging of the present
FIR. It was contended that the allegation from the plain reading
appears to be unbelievable. It was submitted that in fact, the
informant had tried to cause harm to himself and the petitioner and



his family members has taken him to hospital. Learned counsel further submitted that similarly situated co-accused namely, Raghubir Modi, who is the petitioner's father and is also accused in the present case has been granted anticipatory bail by a co-ordinate Bench of this Court by order dated 18.09.2018 in Cr. Misc. No. 51392 of 2018.

5. Learned A.P.P. submitted that there is allegation of assault and attempt to burn the petitioner. However, he was not in a position to controvert the fact that the allegations are general against all concerned.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Munger in Kotwali P.S. Case No. 166 of 2018, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

(Ahsanuddin Amanullah, J)

P. Kumar

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